

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

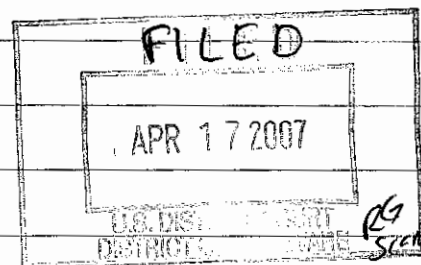
SHANE K. HOPKINS
PLAINTIFF,

✓
c/o JOHN PUSEY, ET AL;
DEFENDANTS

CA No: 05-870-SLR

COMES NOW PLAINTIFF SHANE K. HOPKINS REQUEST
THAT THE COURT ISSUE SUBPOENAS UNDER RULE 45(2)(B)
REQUIRING THE BELOW NAMED INDIVIDUALS SUBMIT TO
ORAL DEPOSITIONS.

- 1) LT. SALAS FIRST NAME UNKNOWN
- 2) LT. YODER FIRST NAME UNKNOWN
- 3) SGT CLIFTON OUTTEN
- 4) C/O GLENISE BAKER
- 5) C/O SHANE BURWELL
- 6) C/O JOSEPH SMITH
- 7) C/O JOHN PUSEY
- 8) NURSE BETTY BRYANT



IN SUPPORT OF THIS MOTION THE PLAINTIFF
OFFERS THE FOLLOWING.

9) EACH ABOVE NAMED DELAWARE CORRECTIONAL CENTER EMPLOYEES EITHER TOOK PART IN OR WITNESSED THE INCIDENT ON NOVEMBER 26TH 2004 FOR WHICH THE PLAINTIFF HAS BROUGHT THIS COMPLAINT.

10) HOWEVER THE PLAINTIFF WAS NOT AWARE OF THIS FACT UNTILL THEIR NAMES WERE PROVIDED THROUGH THE DISCOVERY PROCESS DUE TO THE EFFECTS OF A CHEMICAL AGENT E.G. CAP STUN BEING USED UPON PLAINTIFF DURING NOVEMBER 26TH 2004 INCIDENT.

11) PREVIOUSLY THE PLAINTIFF SUBMITTED A MOTION BEFORE THIS COURT REQUESTING THAT C/O JOHN POSEY AND C/O JOE SMITH SUBMIT TO WRITTEN DEPOSITIONS ON MARCH 9TH 2007 AT THAT TIME THE PLAINTIFF WAS BOTH UNAWARE OF THE DISADVANTAGE THAT SUCH A DEPOSITION WOULD CREATE, AND TRYING TO AVOID BEING PHYSICALLY WITHIN THE PRESENCE OF THESE DEFENDANTS DUE TO FEAR.

12) THE PLAINTIFF WOULD LIKE TO WITHDRAW THE MOTION FOR WRITTEN DEPOSITIONS AND REQUEST THAT THE ABOVE LISTED NAMED DEFENDANTS AND UN NAMED WITNESSES SUBMIT TO ORAL DEPOSITION.

13) DUE TO THE PLAINTIFFS INCARCERATION THE PLAINTIFF REQUESTS THAT THIS COURT STIPULATE THE METHOD AND DATE CONVIENIENT FOR THE DEFENCE TO ARRANGE DEPOSITIONS.

14) FURTHERMORE THE PLAINTIFF AS A PRO SE LITIGATOR WITH LIMITED KNOWLEDGE OF CIVIL LAW AND NO MEANINGFUL LEGAL ASSISTANCE REQUESTS THAT THIS COURT CLARIFY RULE 15(C) OF THE FEDERAL RULES OF CIVIL PROCEDURE AND THE POSSIBILITY OF THE PLAINTIFF FILING AN AMENDED COMPLAINT UNDER THE "RELATION BACK" STANDARD THEREBY MAKING THE AFOREMENTIONED DELAWARE CORRECTIONAL CENTER EMPLOYEES NAMED DEFENDANTS.

15) WILL THE PLAINTIFF BE "TIME BARRED" DUE TO THE STATUTE OF LIMITATIONS IF THE COURT ACCEPTS AN AMENDED COMPLAINT.

DATED April 9th 2007

Shane Hopkins
SHANE K. Hopkins
253918

DELAWARE CORRECTIONAL CENTER
1181 PABLOK RD
SMYRNA DELAWARE
19977

Certificate of Service

I, SHANE K. HOPKINS, hereby certify that I have served a true
and correct cop(ies) of the attached: MOTION FOR ORAL DEPOSITIONS
AND SUBPOENA REQUEST upon the following
parties/person (s):

TO: STACEY XARHOLAKOS
DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
820. N. FRENCH ST 6TH FLOOR
WILMINGTON DELAWARE 19801

TO: _____

TO: _____

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

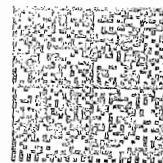
On this 9th day of MARCH, 2007, 2007

Shane Hopkins

IM Shane Hopkins
SBI# 253916 UNIT #22
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

LEGAL MAIL
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